IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 13836 of 2007(V)

PETITIONER:

N.VASUDEVAN NAIR, AGED 65 YEARS,
S/O. NARAYANAN NAIR, SANDHYA BHAVANAM,
KALLUVARAMPU, POOVATHOOR P.O., NEDUMANGAD,
THIRUVANANTHAPURAM.

BY ADV. SRI.B.HARISH KUMAR

RESPONDENTS:

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1. THE RECOVERY OFFICER/SALE OFFICER,
PALODE CO-OPERATIVE AGRICULTURAL AND
RURAL DEVELOPMENT BANK LTD., NO.T-862, PALODE,
PACHA P.O., THIRUVANANTHAPURAM.

2. PALODE CO-OPERATIVE AGRICULTURAL AND
RURAL DEVELOPMENT BANK LTD,
NO.T-862 REPRESENTED BY ITS SECRETARY,
PALODE, PACHA P.O., THIRUVANANTHAPURAM.

3. THE REGIONAL MANAGER,
KERALA STATE CO-OPERATIVE AGRICULTURAL &
RURAL DEVELOPMENT BANK, REGIONAL OFFICE,
THIRUVANANTHAPURAM.

BY ADV. SRI.RAM MOHAN.G.
R3 BY ADV. SRI.G.P.SHINOD
SRI.MANU V.
R1 BY GOVT. PLEADER SRI. P.N. SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.13836 of 2007

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Dated this the 30th day of May, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Coercive steps were taken.

2. Heard counsel for the petitioner, learned Government Pleader and counsel for the respondent Bank. Counsel for the respondent Bank submitted that petitioner was infact given an opportunity to pay the amount under one time settlement scheme, which was not availed of. It is also submitted that no amounts are forthcoming. Petitioner submits that he is orthopedically handicapped and he may be permitted to pay the amount in easy instalments.

Having heard counsel appearing in the case, I feel that the petitioner can be permitted to pay the entire amount in twelve equal monthly instalments. The respondent Bank will serve a statement within two weeks from today showing the exact amount due from the petitioner. Thereupon the petitioner is permitted to pay the amount in twelve equal monthly instalments, the first of which shall be paid on or

before 2.7.2007 and balance instalments will be paid on or before the first working day of the succeeding months. If any of the instalment is not paid, it will be open to the Bank to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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